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OFFICE OF PETITIONS

In re Application of
Baker
Application No. 09/624,831
Filed: July 25, 2000
Attorney Docket No. PA3131US
For: INTERPRETIVE SIMULATION OF
SOFTWARE DOWNLOAD PROCESS

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed June 10, 2005 (certificate of mailing date June 8, 2005), to revive the above-identified application.

The above-identified application became abandoned for failure to properly reply to the final Office action of April 6, 2004. Petitioner filed amendments after final on July 9, 2004 (certificate of mailing date July 6, 2004) and on October 12, 2004 (certificate of mailing date October 6, 2004) that failed to place the above-identified application in *prima facie* condition for allowance. Since petitioner purchased a three month extension of time on October 12, 2004 (certificate of mailing date October 6, 2004), this application became abandoned on October 7, 2004. The filing of the instant petition precedes the mailing of a Notice of Abandonment.

Applicant has submitted a proper reply in the form of a RCE, required fee, and amendment, an acceptable statement of the unintentional nature of the delay in responding to the April 6, 2004 final Office action, and the petition fee.

Regarding the statement of unintentional delay, it was not signed by a person who would have been in a position of knowing that the delay in filing a timely response was unintentional. In the event that petitioner has no knowledge that the delay was in fact unintentional, petitioner should make a reasonable inquiry to ascertain that, in fact, the delay was unintentional. If petitioner discovers that the delay was intentional, petitioner must so notify the Office. A courtesy copy of this decision is being mailed to petitioner. However, any future correspondence regarding this application will be mailed to the address of record.

The petition under 37 CFR 1.137(b) is **GRANTED**.

After the mailing of this decision the application will be forwarded to Technology Center Art Unit 2122 for further examination.

Telephone inquiries pertaining to this matter may be directed to the undersigned at (571) 272-3230.

A handwritten signature in black ink, reading "E. Shirene Willis". The signature is written in a cursive, flowing style.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions

cc: EUGENE G. KIM
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